

Standard 4-4 The student will demonstrate an understanding of the beginnings of America as a nation and the establishment of the new government.

4-4.2: Classify government activities according to the three branches of government established by the United States Constitution and give examples of the checks and balances that the Constitution provides among the branches (P, H).

Taxonomy Level: B 2 Understand / Conceptual Knowledge

Previous /Future Knowledge:

In 3rd grade, students outlined the current structure of the state government (3-3.4).

In United States history, students will contrast the distribution of powers and responsibilities within the federal system, including the purpose, organization, and enumerated powers of the three branches (USHC-2.5).

It is essential for students to know:

The powers of the government found in the **United States Constitution** are separated into **three branches of government:** the legislature, the executive and the judiciary branches. Each of these three branches has specific powers and are **checked and balanced** by the other branches to ensure that they are in compliance with the Constitution.

The legislative branch is the Congress, which is divided into the House of Representatives and Senate, which is housed at the Capitol building. The principle duty of legislators is writing, debating, and passing bills. The power of the Congress is limited, or checked, because the president must sign bills in order for them to become law. The president may also veto a bill, sending it back to Congress with his objections. The legislature has the power to check the power of the President by overriding his vetoes with a 2/3 vote. The Congress also approves judges whom the president has appointed, and checks the power of the President or judges through impeachment.

The President heads the executive branch and resides in the White House. One of his many jobs is to enforce or carry out (execute) the laws. He may also suggest laws to the legislative branch. The President can check the legislature by vetoing any laws with which he does not agree. The President appoints justices to the Supreme Court and the lesser federal courts but Congress must affirm these appointments. The President is also the commander in chief of the United States armed forces. Congress, however, has the power to declare war.

The duty of the judicial branch is to judge whether or not the laws are being carried out fairly and in conformance with the Constitution. The judicial branch includes a system of courts including federal district courts, courts of appeals and the Supreme Court. The Supreme Court is composed of nine judges who serve for life as long as they are not impeached. Impeachment is a check on the power of the courts by which judges can be removed from office by the Congress. The Supreme Court checks the legislative branch by making sure that the laws that are made are in agreement with the Constitution. The Court can also check the power of the executive branch. The Supreme Court has a special building in Washington, D.C.

It is not essential for students to know:

Students do not need to know *all* of the duties of the president and the Congress such as oversight. They do not need to know all of the ways in which the branches check and balance each other.

Although students should know the name of the current president, students do not need to know the names of all previous presidents or their life stories. They do not need to know the names of the members of Congress or the Supreme Court Justices.

Assessment guidelines:

Appropriate assessments will require students to **classify** the workings of the three branches of the United States government. Students should be able to **identify examples** of the functions of the three branches and **explain** the checks and balances of the legislative, executive and judicial branches.